

JUSTICE DAY WILL RESIGN THIS WEEK

Is Leaving Supreme Court to Devote Time to Mixed Claims Task.

WASHINGTON, Oct. 21 (Associated Press).—Associate Justice William R. Day of the Supreme Court has decided to resign in view of his duties as umpire in the German-American claims negotiations. It is expected he will present his resignation to President Harding early next week.

He has made arrangements to go to the White House and place his resignation in the hands of the President.

A former Secretary of State, Justice Day has served on the Supreme bench since March 2, 1903, having been appointed after he had been a United States District Judge for four years. As he is 73 years old, he has passed the retirement age and will go on the retired list at full pay.

He will be the second member of the court from Ohio to resign this year. Justice John H. Clarke having also resigned, and his retirement will reduce the State's representation from three to one, Chief Justice Taft being the only Ohioan remaining.

In April, 1898, Justice Day resigned as Secretary of State to become chairman of the commission which negotiated the treaty of peace with Spain, and his retirement from the bench will mark the second time he has laid down important official duties to serve his country in the adjustment of its international affairs.

There are two other members of the Supreme court eligible for retirement, Justices McKenna and Holmes, both having served upon the bench ten years and having reached the age of 70. Justice McKenna, during the last recess of the court, submitted to a major surgical operation, but seemingly has fully recovered his health and neither he nor Justice McKenna have given any indication of an intention to retire.

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EXPECT HAND WILL DENY LIQUOR WRIT

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panies will immediately appeal to the Supreme Court, officials of the lines have announced.

If the jurist grants the permanent injunctions prayed for Treasury Department officials will make the appeal. Treasury Department officials have said that they do not believe the ruling of a Federal District Judge can apply outside of his own district. If this contention is upheld by the Supreme Court a ruling by Judge Hand favorable to the complaining steamship lines would thereby be discarded, inasmuch as relief from a law cannot be granted to one district while it is held to apply to the entire country.

The contention by the steamship lines is that the Daugherty decision is not in keeping with the language of the Volstead law or the Eighteenth Amendment, inasmuch as neither specifically provided prohibition on the sea.

The nine companies last week granted orders by Judge Hand temporarily restraining Federal officials from molesting their liquor cargoes while not attempting to carry liquor pending a final ruling from Judge Hand. The foreign lines affected by the restraining order now in effect are the Cunard-Anchor, White Star, French, International Navigation, Holland-America, Scandinavian-American and the Royal Mail Steam Packet. The two American companies were the International Mercantile Marine and the United American Line.

Without a semblance of intending to contest the legality of the Daugherty ruling, vessels of the United States Shipping Board immediately after provisions of the ruling were made public sent inventories of their liquor stocks to the customs offices and asked instructions regarding its disposition.

Four Shipping Board vessels turned over their stocks to the Customs Department, while the Treasury Department was asked for a ruling on how the lines would be compensated for their stores. Rather than purchase the liquor from the Shipping Board vessels, the Treasury Department granted permission for the stocks to be carried abroad and sold. In keeping with that ruling the liner Presidente Wilson yesterday cleared for Bremen with a \$10,000 stock of fine liquors, under seal. The wet goods will be sold in Bremen.

Nine transatlantic liners cleared from New York yesterday just in time to escape provisions of the Daugherty ruling.

ing. Whether any of them carried liquor as sea stores is not known. The vessels and their destinations are as follows: Homeric, British, Southampton; Orduna, British, Hamburg; La Savole, French, Havre; Nieuw Amsterdam, Dutch, Rotterdam; Celtic, British, Liverpool; Zealand, British, Antwerp; Presidente Wilson, American, Bremen; As-syria, British, Glasgow, and Guglielmo Pierce, Italian, Palermo, Italy.

LASKER THINKS MOSES SECOND TO DAUGHTERY

Former Was Able to Make Only Red Sea Dry.

CHICAGO, Oct. 21.—A. D. Lasker, chairman of the United States Shipping Board, told United States Attorney-General Daugherty last night that the Attorney-General's recent ruling that all ships entering American waters must be "dry" was the greatest blow that could have happened to the American merchant marine.

"I can prove," said Mr. Lasker, who with the Attorney-General spoke before the Audit Bureau of Circulations and its guests, "that Mr. Daugherty is the greatest lawbreaker of all time. Moses only made the Red Sea dry."

Mr. Lasker said that while he op-

posed the saloon, he spoke neither as a wet nor as a dry but from the standpoint of the Shipping Board.

"I have seen in the press," said Mr. Lasker, "statements that he (Daugherty) made his decision to conform to political expediency to aid the merchant marine bill. I never knew what the decision was until the President announced it.

"As to the Attorney-General, who is such a good politician, if he felt he was helping American ships he did it without advising with me. I want foreign ships to come in, as in their right, wet. Forty per cent. of the passengers are foreigners and will not subscribe to our views."

The principal profit of ships coming to American shores was the emigrant traffic, he said. The emigrant regarded wine and beer as food as much as they did bread and water, he asserted.

He called attention to one result of the Daugherty ruling. The American ship Resolute was to make a Mediterranean cruise, he said, and 300 reservations had been made. Within seventy-two hours after the decision fifty-four cancellations were received, including one

from the head of a great New York bank, who was to pay \$25,000 for his accommodations.

STEWARDS' NEW WAY TO LAND LIQUOR FAILS

Helps Girl From Ship With Grips, but Then Is Arrested.

Giuseppe Vidallo, steward on the steamship Presidente Wilson, was taken into custody yesterday by customs officials after he is alleged to have brought liquor ashore and placed it in a taxicab standing at the pier. The vessel, owned by the United States Shipping Board, sailed yesterday for Bremen with a \$10,000 cargo of liquor, to be sold abroad.

A young woman played a part in Vidallo's alleged scheme of bringing the liquor ashore. Several minutes before the gangplank was raised, after all passengers were aboard, the woman, with several handbags, dashed up to the pier in a taxicab. Vidallo is said to have helped her aboard with her bags and parcels. Almost immediately, however, she came off the ship, Vidallo accom-

panying her with the bags. She was "so sorry," she told Customs Inspector James Rowe, that she had "mistaken the pier."

Inspector Rowe, however, was suspicious. He seized one of the bundles carried by Vidallo and found that it contained liquor. The woman was not held.

RESERVES HOLD CROWD AT \$10,000 LIQUOR RAID

Bronx Roadhouse Yielded Many Bottles; 3 Summoned.

Assorted liquors valued at \$10,000 were seized yesterday by dry agents Drescher and Guttman in a raid on the roadhouse of Jerry Looney, 331 White Plains avenue, The Bronx.

Looney and two bartenders, William Hackett, 327 White Plains avenue, and Chris Hecker, 359 Olivette avenue, The Bronx, were summoned to appear before the United States Commissioner on charges of violating the Volstead law. Police reserves were called to hold back a crowd of several hundred per-

sons that gathered in front of the place as the confiscated liquors were loaded on trucks and carted to the Knickerbocker warehouse.

RAID ON LARGE LIQUOR PLANT NETS NINE STILL

Agents Find Much Whisky Making Paraphernalia.

Nine stills, each of twenty-five gallon capacity, and other whisky making paraphernalia were seized yesterday by Charles Guttman and Harry Drescher, dry agents, in a raid on a four story building in the rear of a garage at 39 Spring street.

Four stills were in operation. The building was the manufacturing plant of illicit whisky in wholesale quantities. In the rooms were found four barrels of denatured alcohol, three barrels of distilled alcohol, many empty bottles, cans, glass containers, coloring fluid, flavoring extracts and several cases of whisky bearing the labels of a famous Scotch brand.

NAVAL AVIATORS MUST WEAR BLUE UNIFORMS

Green and Olive Drab Banned—Gold Braids Changed.

WASHINGTON, Oct. 21.—An order today by Rear Admiral Washington, chief of navigation, prescribing minor changes in the navy's uniforms regulations, added another chapter to the perennial debate over the distinctive gold braid markings to be worn by officers and chief warrant officers.

Among other things the order deprives chief warrant officers of the full half inch sleeve braid bestowed on that grade under Secretary Daniels's administration, and orders a return to the broken gold stripe of previous years.

Green and olive drab uniforms for naval aviators are banned under the new regulations, the flying branch being required to dress in the regulation blue.

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